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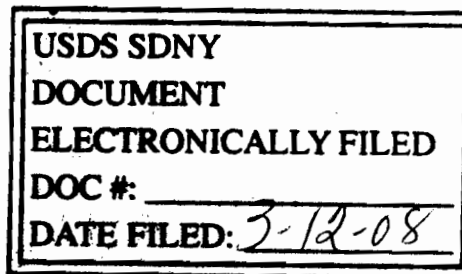
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March 12, 2008

Via Facsimile (212) 805-6382  
The Honorable Victor Marrero, U.S.D.J.  
U.S. District Court  
Southern District of New York  
Suite 660  
500 Pearl Street  
New York, NY 10007



Re: Magda Eisenberg v. New England Motor Freight, Inc. and Audry Hemraj  
United States District Court-Southern District  
Docket No.: 08 CV 01469  
Our File No.: 100-797

Dear Judge Marrero:

We represent defendants New England Motor Freight, Inc. and Andre Hemraj (improperly sued as Audry Hemraj) in regard to the above referenced matter, which we removed from the New York Supreme Court, County of New York, and has been assigned to Your Honor. We write to clarify a date chosen by plaintiff for argument in her recently filed motion to obtain a briefing schedule for said motion.

On or about March 5, 2008 plaintiff filed a Motion to Remand in which plaintiff sets an argument date in the Notice of Motion of March 26, 2008. Defendant intends to strenuously oppose said motion as we believe that that it is completely and utterly without merit, and is indeed wrong on the law. It is our understanding based upon our practice in the Southern District and its Local Rules, as well as Your Honor's Individual Rules, that plaintiff's motion shall not be argued pursuant to any date chosen by plaintiff. Instead, it is our understanding that in the event Your Honor requires oral argument a date shall be chosen by Your Honor.

Given the confusion and that your writer was engaged in trial and other matters last week, and unable to address plaintiff's motion, we respectfully request that a briefing schedule be set in which defendants are permitted to submit their opposition papers no

later than April 1, 2008 (opposition would otherwise be due, by our calculations, pursuant to Local Rule 6.1 (b), no later than March 20, 2008), with plaintiff given ample time thereafter to submit a reply, if any.

Thank you for Your Honor's attention and consideration to this matter.

Respectfully yours,

  
Todd C. Rubenstein


TCR/cn

cc: Raphael Weitzman, Esq. (via Facsimile)

The parties are directed to address the matter set forth above to Magistrate Judge Debra Freeman, to whom this dispute has been referred for resolution, as well as for supervision of remaining pretrial proceedings, establishing case management schedules as necessary, and settlement.

SO ORDERED.

3-12-08  
Date

  
VICTOR MARRERO, U.S.D.J.